

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

VILLAGE MANOR, INC., et.al.)	
)	
PLAINTIFFS,)	
)	
vs.)	CASE No.: 2:08-cv-00149-MHT-SRW
)	
ARCH SPECIALTY INSURANCE, et.al.)	
)	
DEFENDANTS.)	

MOTION TO EXTEND TIME

COME NOW, all Plaintiffs, by and through the undersigned counsel of record and make this their Motion to Extend Time to Respond to Defendant Marsh's Motion to Dismiss and state as follows;

1. Plaintiff Singleton's daughter is hospitalized in critical care. Further, Plaintiff Singleton is traveling extensively to and from the hospital to stay with his minor child who is at this time seriously ill. Additionally, Plaintiff Singleton is and has been unavailable for a period of time to assist his counsel.
2. That Defendant Marsh has filed a Motion to Dismiss, and Plaintiff's counsel is without the proper input, information and or documentation from Plaintiff Singleton to make a proper and adequate Response to Motion to Dismiss without Plaintiff Singleton's input, information, and or documentation.
3. Neither Plaintiffs or Defendants would be prejudiced by an extension of time, further, the undersigned counsel, at the parties planning meeting, represented these issues to Counsel for Defendants and no objection was made as to a reasonable extension to Plaintiffs.
4. It would be in the interest of justice to extend the time for Plaintiff's Response to

Defendant's Motion to Dismiss.

5. The undersigned counsel has attempted even this date to contact Mr. Singleton in an effort of hope that Mr. Singleton could be available today to assist in providing the necessary and required documentation and affidavit to adequately respond, however, he could not be reached and remains at the hospital in Birmingham, Alabama with his daughter.

Wherefore, Plaintiff respectfully prays this Honorable Court will Grant an extension of time to Plaintiff to prepare a Response to Defendant's Motion to Dismiss.

RESPECTFULLY SUBMITTED this the 1st day of April, 2008.

/s/ Michael Guy Holton
ASB-9926-L72H
Michael Guy Holton
Attorney for Plaintiffs
FULLER, TAYLOR & HOLTON, P.C.
57 48 Carmichael Parkway, Ste D.
Montgomery, Alabama 36117
(334) 514-6003 Direct

CERTIFICATE OF SERVICE

I do hereby certify that /I have served a copy of the foregoing on the below listed counsel of record by filing same via CM/ECF electronic filing on this the 1st day of April, 2008.

Robert E. Poundstone, IV, Esq.
John D. Bond, III, Esq.
Walter J. Price, III, Esq.
Edgar M. Elliot, Esq.
Michael A. Vercher, Esq.
Matthew W. Robinett, Esq.
Thomas A. Kendrick, Esq.
David W. Henderson, Esq.
Michael J. Cohan, Esq.

/s/ Michael Guy Holton
OF COUNSEL

